

Article - Education

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§3-1201.

(a) The Somerset County Board shall be elected and consists of one member elected from each commissioner district in the county.

(b) (1) A member from a commissioner district shall be a resident of that district.

(2) A candidate for the county board shall be a registered voter of the county.

(3) A member from a commissioner district who no longer resides in that district may not continue as a member of the county board.

(c) Members of the board shall be elected at a general election as required by subsection (d) of this section.

(d) (1) Subject to the provisions of paragraph (2) of this subsection, each member serves for a term of 4 years beginning on January 1 after the member's election and until a successor is elected and qualifies.

(2) (i) The terms of members are staggered as provided in this paragraph.

(ii) 1. The members elected at the 2004 election from commissioner districts 1, 3, and 5 shall serve an initial term of 2 years.

2. An election shall be conducted in 2006 and every 4 years thereafter.

(iii) 1. The members elected at the 2004 election from commissioner districts 2 and 4 shall serve an initial term of 4 years.

2. An election shall be conducted in 2008 and every 4 years thereafter.

(3) The Governor shall appoint a qualified individual to fill any vacancy on the board for the remainder of the term and until a successor is elected and qualifies.

(e) (1) The State Board may remove a member of the county board for:

- (i) Immorality;
- (ii) Misconduct in office;
- (iii) Incompetency; or
- (iv) Willful neglect of duty.

(2) Before removing a member, the State Board shall send the member a copy of the charges against him and give him an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10-day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in his own defense, in person or by counsel.

(4) A member removed under this subsection has the right to a de novo review of the removal by the Circuit Court for Somerset County.

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